exhibited by the cited heteroconjugates in Ghetie *et al.* ***is not caused by the conjugates but by linked cytotoxic moieties***.

Bosslet et al. also teaches away from the use of a homoconjugate. In particular, the reference relies on a heteroconjugate comprising "F(ab) fragments of antibodies of two or more different specificities by means of suitable linkers." See Col. 1, lines 10-15. Once again, ***two specificities are used to achieve the desired results***. See Col. 1, lines 66-67 and Col. 2 lines 1-3. Thus, the reference also teaches away from the claimed homoconjugates.

With regard to the Wolff reference, Applicants note that, as described above, ***the reference is not properly combinable with the other cited references.*** As described in Applicants' prior Response to Office Action, the "mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination." MPEP § 2143.01 citing *In re Mills*, 916 F.2d 680, 16 U.S.P.Q.2d 1430 (Fed. Cir. 1990). Here, not only is there no suggestion to combine, but the aforementioned references ***teach away*** from a combination with Wolff or other references concerning homoconjugates. Therefore, Wolff cannot be properly combined with the references. Because Wolff and the other cited reference fail to teach or suggest the claimed invention, the claims are not obvious.

In view of the foregoing, Applicants respectfully request that the rejection of claims 1-3, 6-15, 18-25, 43-45 and 48-51 under 35 U.S.C. § 103 be withdrawn.

E. Conclusion

In conclusion, Applicants submit that, in light of the foregoing amendments and remarks, the present case is in condition for allowance, and such favorable action is respectfully requested.

If the Examiner has any questions or comments, a telephone call to the undersigned Applicants' representative at (512) 536-3035 is earnestly solicited.

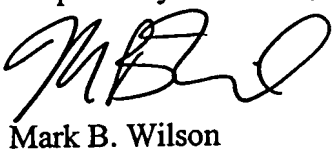
III. REQUEST FOR EXTENSION OF TIME

Pursuant to 37 C.F.R. § 1.136(a), Applicant petitions for an extension of time of one month to and including February 12, 2001, in which to respond to the Examiner's final Office Action dated October 12, 2001.

Pursuant to 37 C.F.R. § 1.17, a check in the amount of $55.00 is enclosed, which is the process fee for a one-month extension of time.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Assistant Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No. 50-1212/10017628/MW01999.

Respectfully submitted,



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Date: February 12, 2001

APPENDIX A: CLAIMS AFTER THE RESPONSE TO FINAL OFFICE ACTION

1. A homoconjugate of two or more monoclonal antibodies, wherein the homoconjugate comprises a monoclonal antibody that does not comprise an Fc region, wherein the homoconjugate has anti-neoplastic activity and wherein said monoclonal antibody has substantially no anti-neoplastic activity in an unconjugated form.

2. [Cancelled]

3. [Cancelled]

4. The homoconjugate of claim 3, wherein the homoconjugate comprises an anti-CD19, anti-CD20, anti-CD21, anti-CD22, anti-breast tumor, anti-ovarian tumor, anti-prostate tumor, anti-lung tumor, or anti-αHer2 monoclonal antibody.

5. The homoconjugate of claim 3, wherein the homoconjugate comprises an anti-Her2 monoclonal antibody.

6. [Cancelled]

7. The homoconjugate of claim 1, further defined as a homodimer.

8. The homoconjugate of claim 1, wherein the homoconjugate comprises a monoclonal antibody that is an IgG monomer.

9. The homoconjugate of claim 8, wherein the IgG is a mammalian IgG.

10. [Cancelled]

11. A method of making a homoconjugate of two or more monoclonal antibodies, wherein the homoconjugate comprises a monoclonal antibody that does not comprise an Fc region, comprising:

obtaining a first monoclonal antibody that does not comprise an Fc region;

obtaining a second monoclonal antibody that does not comprise an Fc region; and

conjugating the first monoclonal antibody to the second monoclonal antibody, wherein the first and second monoclonal antibodies have anti-neoplastic activity in a conjugated form and have substantially no anti-neoplastic activity in an unconjugated form.

12. [Cancelled]

13. [Cancelled]

14. [Cancelled]

15. [Cancelled]

16. The method of claim 14, wherein the monoclonal antibody is an anti-CD19, anti-CD20, anti-CD21, anti-CD22, anti-breast tumor, anti-ovarian tumor, anti-prostate tumor, anti-lung tumor, or anti-αHer2 monoclonal antibody.

17. The method of claim 14, wherein the monoclonal antibody is an anti-Her2 monoclonal antibody.

18. [Cancelled]

19. [Cancelled]

20. [Cancelled]

21. The method of claim 11, wherein the homoconjugate is further defined as a homodimer.

22. The method of claim 11, wherein the homoconjugate comprises a monoclonal antibody that is an IgG monomer.

23. The method of claim 11, wherein the homoconjugate comprises a mammalian monoclonal antibody.

24. [Cancelled]

25. The method of claim 11, further consisting of:
obtaining a third monoclonal antibody; and
conjugating the third monoclonal antibody to the homoconjugate.

26-42. [Cancelled]

43. A pharmaceutical composition comprising a homoconjugate comprising a monoclonal antibody and a pharmaceutically acceptable carrier, wherein the monoclonal antibody does not comprise an Fc region and wherein the monoclonal antibody has anti-neoplastic activity in a conjugated form and has substantially no anti-neoplastic activity in an unconjugated form.

44. [Cancelled]

45. [Cancelled]

46. The pharmaceutical composition of claim 43, wherein the monoclonal antibody is an anti-CD19, anti-CD20, anti-CD21, anti-CD22, anti-breast tumor, anti-ovarian tumor, anti-prostate tumor, anti-lung tumor, or anti-αHer2 monoclonal antibody.

47. The pharmaceutical composition of claim 43, wherein the monoclonal antibody is an anti-αHer2 monoclonal antibody.

48. [Cancelled]

49. The pharmaceutical composition of claim 43, wherein the homoconjugate is further defined as a homodimer.

50. The pharmaceutical composition of claim 43, wherein the homoconjugate comprises a monoclonal antibody that is an IgG monomer.

51. The pharmaceutical composition of claim 43, wherein the homoconjugate comprises a mammalian monoclonal antibody.

52. [Cancelled]